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ORDINANCE NO.

AN ORDINANCE APPROVING A MASTER DEVELOPMENT PLAN FOR AUSTIN-BERGSTROM INTERNATIONAL AIRPORT; GRANTING VARIANCES TO SPECIFIC CODE PROVISIONS; ESTABLISHING A REVIEW AND AMENDMENT PROCESS; AND REPEALING ORDINANCE 94-1117-L.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Council hereby approves the Master Development Plan ("MDP"), which includes the near term and ultimate build out of the Austin-Bergstrom International Airport. The MDP includes improvements associated with the original site plan for the airport approved under site plan SP-94-0438C, and U.S. Air Force improvements which existed at the time of approval of SP-94-0438C. The MDP is attached to this Ordinance as Attachment A and on file at the Planning and Development Review Department as file number SP-2012-1000C.

PART 2. As part of the MDP approved by this Ordinance, the City Council hereby approves the following attachments:

Attachment A-1: Original Site Plan for the airport, with all subsequent revisions.

Attachment A-2: Water Quality Plan

Attachment A-3: Overall Impervious Cover and Onion Creek Regional Stormwater Management Program Tracking Tables

Attachment A-4: Demolition Plan

PART 3. The MDP shall apply to all facilities to be constructed at the Austin-Bergstrom International Airport, whether by or on behalf of the City of Austin, or by third parties providing facilities and infrastructure to support the operation of the airport.

PART 4. Development within an area covered by the MDP will require submittal of a site plan for the area to be developed, and will be processed under the terms of this Ordinance. In addition, ongoing and future development of the Austin-Bergstrom International Airport under the MDP shall require administrative review and approval at least every 10 years.

PART 5. Revision or amendment of the MDP, or any of the attachments to this Ordinance shall be considered and approved administratively upon concurrence by the Department of Watershed Protection, the Planning and Development Review

Department, and the Department of Aviation or other departments designated by the City Manager. The Department of Aviation shall advise City Council of any revision or amendment of the MDP.

PART 6. Approval of the MDP by this Ordinance constitutes the granting of variances to the following provisions of the City Code:

(A) Section 25-5-81 (*Site Plan Expiration*) and Chapter 25-1, Article 12 (*Project Duration*) to allow the MDP to have no expiration date, provided it receives periodic review and approval under Part 4 of this Ordinance.

(B) Section 25-7-61 (A) (5) (*Criteria for Approval of Plats, Construction Plans, and Site Plans*), to allow construction of the following facilities without preserving the natural and traditional character of the land and waterways:

- (1) New terminal facilities south of mid-field crossing taxiways;
- (2) Additional runway and taxiway infrastructure;
- (3) South campus facilities, including but not limited to: terminal, parking, and general aviation facilities;
- (4) West side air cargo terminal and aprons; and
- (5) East side general aviation and related aeronautical development.

(C) Subsection (B) (2) of Section 25-8-213 (*Water Quality Control Standards*), to limit capture volume to the first half inch of runoff for the Constrained Development Area, identified on Attachment A-2 (*Water Quality Plan*).

(D) Section 25-8-392 (*Critical Water Quality Zone*), to allow in the critical water quality zone: (1) water quality controls, (2) construction of facilities, and (3) construction of improvements necessary to serve the facilities such as roads, sidewalks, and utilities; provided the total impervious cover in the critical water quality zone may not exceed 40 acres, and the facilities are limited to the following:

- (1) West side air cargo terminal and aprons; and
- (2) On-site drainage channel improvements.

(F) Section 25-8-393 (*Water Quality Transition Zone*), to allow impervious cover of up to 30% based on gross site area.

(G) Section 25-8-341 (*Cut Requirements*), to allow cuts to exceed four feet but not to exceed 25 feet of depth for all development under the MDP including, but not limited

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C9/3

to: runways, taxiways, aprons, terminals, cargo areas, general aviation, airplane storage and maintenance, air national guard, air operations, navigational aids, Federal Aviation Administration required facilities, on-site drainage channel erosion control improvements, parking lots, fire lanes, and any other airside facility with fixed site elevation that is dependent on the final grade elevation of the air field runways or taxiways.

(H) Section 25-8-342 (*Fill Requirements*), to allow fill to exceed four feet but not to exceed 15 feet of depth for all air field development under the MDP including, but not limited to: runways, taxiways, aprons, terminals, cargo areas, general aviation, airplane storage and maintenance, air national guard, air operations, navigational aids, Federal Aviation Administration required facilities, on-site drainage channel erosion control improvements, parking lots, fire lanes, and any other airside facility with fixed site elevation that is dependent on the final grade elevation of the air field runways or taxiways.

PART 7. The requirements imposed by Section 25-8-41 (*Land Use Commission Variances*) regarding the processing and granting of variances is hereby waived for the variances granted in this Ordinance.

PART 8. Ordinance Number 94-1117-L is hereby repealed.

PART 9. This ordinance takes effect on _____.

PASSED AND APPROVED

_____, 2012

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Lee Leffingwell
Mayor

APPROVED: _____
Karen Kennard
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

CITY OF AUSTIN, TEXAS

ORDINANCE 94-117-L

9/14
This is the
Overall Site Development
Plan

AN ORDINANCE APPROVING A SITE PLAN FOR AUSTIN-BERGSTROM INTERNATIONAL AIRPORT; GRANTING VARIANCES TO SPECIFIC CODE PROVISIONS; REQUIRING PERIODIC REVIEW; ESTABLISHING AN AMENDMENT PROCESS; WAIVING THE REQUIREMENTS OF SECTION 2-2-3 OF THE AUSTIN CITY CODE OF 1992; WAIVING THE REQUIREMENTS OF SECTION 13-2-505 REGARDING GRANTING OF VARIANCES; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The site plan on file at the Planning and Development Department in File No. SP 94-0438C is hereby approved by the City Council as the site plan for Austin-Bergstrom International Airport.

PART 2. As part of the site plan for Austin-Bergstrom International Airport, the City Council hereby approves the following attachments to this Ordinance:

- Attachment A - Drainage and Grading Master Plan
- Attachment B - Land Use Master Plan, including
tree survey/mitigation and landscape master plan notes
- Attachment C - Demolition Master Plan
- Attachment D - Water Quality, Erosion and Sedimentation Control and
Spoil Storage Master Plan

PART 3. Development of Austin-Bergstrom International Airport under the site plan approved by this Ordinance shall require periodic administrative review and approval at milestone events as set forth in Attachment E, which is hereby approved.

PART 4. Approval of the site plan for Austin-Bergstrom International Airport by this Ordinance constitutes the granting of variances to the following Land Development Code provisions:

- (1) Section 13-6-3(a)(6) to allow construction of the following facilities without requiring the natural and traditional character of the land and waterway be preserved:

- the East Runway Service Road
- the East Runway and its South overrun
- the South Access Road
- Navigational aids at the south end of the East Runway and their access roads

- (2) Section 13-7-16, to allow fill to exceed four feet of depth, up to a maximum depth of 15 feet, and to allow cut on the land to exceed four feet, up to a maximum of 25 feet.

- (3) Section 13-7-21 to allow construction within 150 feet of a critical environmental feature of:

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- the East Runway Service Road
- the East Runway and its South overrun

(4) Section 13-7-23(e) to allow construction in the critical water quality zone of:

- the East Runway Service Road
- the East Runway and its South overrun
- the South Access Road
- Navigational aids at the south end of the East Runway and their access roads

PART 5. Amendment of the site plan for Austin-Bergstrom International Airport, or any of the Attachments to said site plan shall be considered and approved administratively upon concurrence by both the Department of Planning and Development and the Environmental and Conservation Services Department, provided the City Council is advised of such amendments.

PART 6. The site plan for Austin-Bergstrom International Airport shall apply solely to work done by or on behalf of the City of Austin in order to construct Austin-Bergstrom International Airport. Other facilities to be constructed at Austin-Bergstrom International Airport shall require separate site plans.

PART 7. The requirements imposed by Section 2-2-3 of the Austin City Code of 1992, as amended, that this Ordinance be read on three (3) separate days shall be waived by the affirmative vote of five (5) members of the City Council to pass this Ordinance through more than one reading on a single vote.

PART 8. The requirements imposed by Section 13-2-505 of the Austin City Code of 1992, as amended, regarding the processing and granting of variances, is hereby waived.

PART 9. This Ordinance shall be effective upon the expiration of ten (10) days following the date of its passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

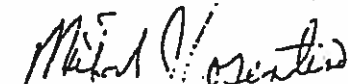
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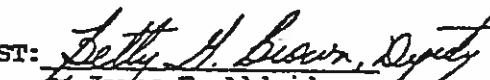


Bruce Todd
Mayor

APPROVED:


Michael J. Cosentino
Acting City Attorney

ATTEST:


James E. Aldridge
City Clerk

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